

WEWAHITCHKA, FLORIDA

May 13, 2008

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Billy E. Traylor, Commissioners Carmen L. McLemore, Jerry W. Barnes, and Bill Williams. <Commissioner Nathan Peters, Jr. was absent.>

Others present were: County Attorney Tim McFarland, Clerk of Circuit Court Rebecca L. Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Deputy Clerk Kayla Duke, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Grant Writer Towan Kopinsky, Human Resources Director Denise Manuel, Planner David Richardson, Mosquito Control Department Director Mark Cothran, G.I.S. Director Scott Warner, Road Department Supervisor Bobby Knee, Building Official Lee Collinsworth, Extension Agent Roy Lee Carter, Gulf County E.M.S. Director Shane McGuffin, Emergency Management/911 Coordinator Ben Guthrie, S.H.I.P. Coordinator Ricky Farmer, Solid Waste Director Joe Danford, Public Works Director Gerald Shearer, T.D.C. Director Paula Pickett, Veterans' Service Officer James Kennedy, Property Appraiser Kesley Colbert, Tax Collector Shirley Jenkins, Jail Transition Coordinator Denny Durben, Maintenance Superintendent Steve Mork, Building Inspector George Knight, Wewahitchka Mayor Ray Dickens, Judge Fred Witten, and Sheriff Joe Nugent.

Sheriff Joe Nugent called the meeting to order at 10:04 a.m., E.T.

Pastor V. Joey Etheridge opened the meeting with prayer and Chairman Traylor led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Commissioner Williams motioned to approve the following Consent Agenda items, after pulling pages 59-60. Commissioner Barnes stated that he must abstain from voting on page 57. After discussion, Commissioner McLemore seconded the motion to approve the Consent Agenda, after removing pages 59-60, and it passed 3-0, with Commissioner Barnes abstaining.

1. Minutes - April 15, 2008 - Special Meeting
 - April 22, 2008 - Special Meeting
 - April 22, 2008 - Regular Meeting
 - May 5, 2008 - Special Meeting
2. Change Order #1 - St Joseph Peninsula Erosion Control Project - Bid #0607-34

(Manson Construction Co. * \$275,600.00 Increase)

Change Order #2 - St Joseph Peninsula Erosion Control Project - Bid #0607-34
(Manson Construction Co. * Switches the
mobilization/demobilization costs between Item 2 Borrow Area "C" and Item 4 - Borrow Area
"A" *
No change in Contract Amount)

3. Invoice - Bay Medical Center - H.C.R.A. (#0805800349 * \$120.40, #0806000509
\$120.40 * to be paid from Account #51462-31500)

- County Attorney Timothy McFarland (April, 2008 * \$11,932.14 * to be
paid from Account #21314-31100)

- Gulf Coast Children's Advocacy Center (April, 2008 * \$525.00 * to be paid
from Account #21111-31300)

- Gulf County C.D.C. - Request for Recaptured Funds (\$16,500.00)

- Manson Construction Co. - St Joseph Peninsula Erosion Control Project -
Bid #0607-34 (Pay Request #1 * \$857,694.47 * to be paid from
Account #43137-31000)

- McLean Tennis, Inc. - Donnie Brake Park (Invoice #1-1720 * \$4,761.00 * to
be paid from Account #26472-63000)

- MRD Associates - St Joseph Peninsula Erosion Control Project - Bid #0607-34
* Project #08-210.8 * Invoice #1091 * \$23,941.19 * to be paid from
Account #25837-31000)

- National Diamond - Americus Avenue Ditch (Invoice #288068 * \$298.70 * to
be paid from Account #41441-53000)

- Preble-Rish, Inc. - Five Points Landfill and Buckhorn (Invoice #65658 *
\$23,018.55 * to be paid from Account #42634-31000)

- Preble-Rish, Inc. - Wetappo Landfill (Invoice #76418 * \$1,499.90 * Invoice
#76553 * \$749.95 to be paid from Account #46234-31000)

- St. Joseph Bay Humane Society, Inc. (March, 2008 * \$1,501.00 * April, 2008 *
\$2,303.00 to be paid from Account #43262-82000)

4. Policies - Vehicle Usage (Building Department and Maintenance)

5. Permit Fees - Cape San Blas Lighthouse Renovation Project (Waive Building Permit Fees)
6. Purchase Request - Gulf County Beaches Fire Department (Air Conditioner unit not To exceed \$5,000.00)
7. S.H.I.P. - Subordination Agreement (Baker/Coastal Community Mortgage)

(DELETED) - Subordination Agreement (Bateman/Title Resource Group)

(End of Consent Agenda)

SUPERVISOR OF ELECTIONS LINDA GRIFFIN/CITY ELECTION

Chairman Traylor stated that Supervisor of Elections, Linda Griffin, regrets that she cannot be present at this meeting, as it is Election Day for the City of Port St. Joe.

FINANCE OFFICER

Clerk of Circuit Court, Becky Norris, recognized Clerk Finance Officer Carla Hand for completing a rigorous training and testing program to become a Certified Government Finance Officer.

COURTHOUSES

Judge Witten discussed the conditions of the Courthouses in Wewahitchka and Port St. Joe. He recognized the Maintenance Superintendent Steve Mork, for notable repairs that have been completed at his office. He stated that the Courthouse is still a priority, particularly the Clerk's Office, as it might be an unhealthy environment for employees. He further discussed the Wewahitchka Courthouse, stating that it is a historical treasure and needs to be taken care of. Judge Witten stated that it is a very practical building that can be used for conducting court, but the building must first be secure. He discussed a grant opportunity that is possible, but not probable and stated that regardless, it is important that these buildings be renovated. Chairman Traylor agreed that both Courthouses will be priorities.

GRANT WRITER

Grant Writer, Towan Kopinsky appeared before the Board and explained her job description to Wewahitchka High School Government class in attendance at the meeting, and discussed that Judge Witten was correct concerning the Grant for Courthouse renovations, stating that it is not probable.

S.I.S. LETTER OF RECOMENDATION

Ms. Kopinsky requested that the Board write a letter to the Florida Department of Transportation, recommending that the Port of Port St. Joe be designated as a Strategic Intermodal System Seaport (S.I.S.). Ms. Kopinsky stated that, if adopted, this will benefit the economy. Port Authority representative Warren Yeager stated that getting this designation would open up a lot of opportunities for the County.

SEA TURTLE LIGHTING

Upon Ms. Kopinsky request, Commissioner Barnes motioned to allow Ms. Kopinsky to re-apply for funding of the Sea Turtle Friendly Lighting Project. Commissioner McLemore seconded the motion and it passed 4-0.

INVOICE/ DONNIE WAYNE BRAKE PARK

Upon Ms. Kopinsky's recommendation, Commissioner Williams motioned to pay Invoice #1-1724 from McLain Tennis, in the amount of \$13,959.00, for the remaining fence draw and tennis court construction for Donnie Wayne Brake Park, as well as a basketball court for the park, to be paid from the FRDAP Grant. Commissioner McLemore seconded the motion and it passed 4-0.

INVOICE CAPE SAN BLAS BIKE PATH PROJECT PHASE II

Ms. Kopinsky presented Invoice #65693 from Preble-Rish, Inc., in the amount of \$24,936.00, for Phase II of the Cape San Blas Bike Path Project, to be paid from LAP Grant funds. Commissioner Barnes motioned to approve payment. Commissioner McLemore seconded the motion and it passed 4-0.

INVOICE CAPE SAN BLAS BIKE PROJECT PHASE III

Upon Ms. Kopinsky's recommendation, Commissioner Barnes motioned to approve payment of Invoice # 65694 from Preble-Rish, Inc., in the amount of \$19,120.00, for Phase III of the Cape San Blas Bike Path Project, to be paid from LAP grant funds. Commissioner McLemore seconded the motion and it passed 4-0.

DEPUTY ADMINISTRATOR/SMALL COUNTY COALITION MEETING

Deputy Administrator Lynn Lanier appeared before the Board and gave a brief job description for the High School Government Class in attendance. Ms. Lanier informed the Board that she needs an RSVP for the annual Small County Coalition business meeting on Wednesday, June 11, 2008, in Tallahassee, FL.

SCHEDULED WORKSHOPS/EDC/ECONOMIC SUMMIT

Ms. Lanier informed the public of upcoming workshops; one is to be held on May 15, 2008, concerning the EDC, and the other is to be held on May 19, 2008, concerning the Economic Summit/The Rurbane Economist. She further stated that both meetings will be held in the Board room in the Robert M. Moore Administration building.

BUILDING OFFICIAL

Building Official Lee Collinsworth appeared and stated his job description to the High School Government class in attendance.

SOLID WASTE

Solid Waste Director Joe Danford appeared and discussed his job description.

EMS

EMS Director Shane McGuffin appeared and stated his job description. He addressed the

Government class about the need for new EMS employees, and recognized students who already volunteer.

HUMAN RESOURCE/RISK MANAGEMENT/RFP AGENT OF RECORD

Human Resources Director Denise Manuel appeared and stated her job description. Ms. Manuel further discussed that the RFP's for the Agent of Record and Group Health and Life Insurance are almost complete, and stated that she should have those to the Clerk's Office by tomorrow.

UNION ARBITRATION

Ms. Manuel stated that they are expecting an answer this week from the arbitrator so they can move forward with the updated Union Arbitration contract.

BUILDING DEPARTMENT

Building Inspector George Knight appeared and discussed his job description. Knight encouraged the students to consider careers in engineering and architectural design.

EMERGENCY MANAGEMENT

Emergency Management/911 Coordinator Ben Guthrie appeared and discussed his job description and encouraged the Wewahitchka High School students to come and tour the EOC Building.

G.I.S.

G.I.S. Director Scott Warner appeared and explained his job description for the information of the Wewahitchka High School Government class.

COMMISSIONERS

Chairman Traylor expressed his gratitude for the County Commissioners in attendance, and requested that each of them address the Government class about their duties as Commissioners. He further stated that there is a need for people interested in helping their community by serving in positions like theirs. Commissioner Williams agreed and stated that it is important for this generation to become more active and knowledgeable concerning politics. Commissioner McLemore stated that he has been in politics for eight years and it is a demanding job that requires you to be a leader. Commissioner Barnes commended the Lady Gators Softball Team for winning the State Championship. He discussed that their job has a lot of decisions that affect a lot of people. He further discussed the importance of completing your education.

PLANNING DEPARTMENT/INDIAN LAGOON SUBDIVISION

Planner David Richardson appeared and stated his job description. Upon recommendation of Richardson, County Attorney Tim McFarland opened for a public hearing regarding Final Plat Approval from Indian Lagoon, LLC - Parcel ID #003181-000R, in Section 20, Township 9 South, Range 10 West, Gulf County, Florida. Richardson stated that they have condensed the lots from seven to six. Commissioner McLemore motioned to proceed. Commissioner Barnes seconded the motion. Attorney McFarland called for public comment, and none was received. The motion then passed 4-0.

FIVE ACRE FARMS

Planner Richardson appeared before the Board on behalf of Terry Pickens, a sawmill operator living on Five Acre Farms in Wewahitchka, FL. Richardson stated that there have been complaints about the sawmill operating. Richardson stated that Five Acre Farms is considered a residential area, despite its name, which implies that it is an agricultural area. Richardson requested direction from the Board. Richardson discussed that Five Acre Farms is being used as an agricultural area by residents who own farms and other sawmill operators. Commissioner McLemore discussed that he has spoken with neighbors of Mr. Pickens, who have no problem with the sawmill operating. County Attorney McFarland discussed that Five Acre Farms substantially predates the comprehensive plan and the land development regulations, and stated that the land has always been used for agricultural purposes, so they should be able to pursue a variance. Commissioner Williams inquired about the nature of the complaint. Commissioner McLemore stated that the complaint was noise and Mr. Pickens has adjusted his hours of operation. Commissioner McLemore motioned to allow County Attorney McFarland to pursue a variance that will allow Terry Pickens to continue to operate his sawmill, with the understanding that he will only operate during a set amount of hours. Commissioner Barnes seconded the motion and it passed 4-0.

SCHOOLS

Chairman Traylor recognized Superintendent of Schools Tim Wilder and Bill Carr and thanked them for being at the meeting.

TDC

TDC Director Paula Pickett discussed her job description and the functions of the tourism industry.

BEACH RENOURISHMENT PROJECT

Ms. Pickett discussed the progress of the Beach Renourishment Project and stated that it is beneficial to preserving the community and adding economic value to the property and the County.

WELCOME CENTER

Ms. Pickett stated that the Welcome Center has been open since April 28, 2008, and encouraged the public to visit.

ROAD DEPARTMENT

Road Department Supervisor Bobby Knee appeared and discussed his job description and how he came to be in that position. Knee read a list of the different responsibilities of the Road Department. <Clerk Norris left the meeting.>

PUBLIC WORKS

Public Works Supervisor Gerald Shearer appeared and discussed the job duties of the Public Works Department.

MAINTENANCE

Maintenance Supervisor Steve Mork appeared and discussed the duties of the Maintenance Department.

MOSQUITO CONTROL

Mosquito Control Director Mark Cothran appeared and discussed the duties of the Mosquito Control Department.

VETERAN'S SERVICE OFFICER

Veteran's Service Officer James Kennedy appeared and discussed his job. Kennedy discussed the importance of having a Veteran's Service Department to support war veterans and their families.

AMERICUS AVENUE DITCH PIPE INSTALLATION BID #0708-01

Chief Administrator Don Butler presented an invoice for approval from Bailey & Sons Diversified, Inc., for the Americus Avenue Ditch Pipe Installation project, in the amount of \$69,305.09 to be paid from Road Bond Funds upon the Engineer's approval. Commissioner Williams motioned to approve payment of the invoice. Commissioner McLemore seconded the motion and it passed 4-0.

INVOICE STUMPHOLE PROJECT

Butler presented Invoice #6575 from Preble-Rish, Inc. in the amount of \$26,450.00 for the Stumphole Project to be paid from TRIP grant funds. Commissioner Barnes motioned to approve the payment. Commissioner McLemore seconded and it passed 4-0.

BUDGET/UNFUNDED MANDATES/CONFLICT COUNSEL

Butler discussed a new mandate from the State that requires the County to provide office space to Conflict Attorneys. Butler discussed that this was passed because of State budget cuts. Butler stated that they are required by law to provide office space, janitorial, and communication services. Commissioner McLemore discussed his displeasure with these mandates, and inquired of County Attorney Tim McFarland if the Board could send a letter to the State explaining that the County does not have the room or the funds to provide office space for the Conflict Counsel. Commissioner Williams stated that these mandates have already been fought in Tallahassee, but they are being passed regardless. Commissioner Williams discussed Counties who are eliminating different departments in order to protest unfunded mandates but it is still the law. Commissioner McLemore stated that the County cannot be run on the budget they have, and requested Michael Hammond to contact State Representative Jimmy Patronis about it. Chairman Traylor discussed continual budget cuts to different programs, such as the schools, and stated that the budget cut to the school system is horrible. Chairman Traylor discussed the possibility of being forced to increase the millage for funding, and stated that this is only one of many unfunded mandates being passed by the State. Attorney McFarland advised the Board that it is an Amendment to the Constitution that has been passed, and they have to follow it. Commissioner Williams stated that the Counties have been objecting, but there is no way to stop it. Williams stated that the public has not yet felt all the consequences of State

budget cuts. Chairman Traylor stated that they will find a space to put them in. Chairman Traylor stated that they will write a letter opposing the unfunded mandates.

VMS CONTRACT/BUDGET/DEPARTMENT CONSOLIDATION

Butler informed the Board that the VMS Contract (cutting grass on the County Right of Ways) is up for renewal in June and stated that, if through the budget process they consolidated departments, they might not have enough employees to continue this service. He stated that the committee is working on a proposal that will possibly combine five different departments with 60 current employees, but through attrition, may reduce by 15 employees over three years. Butler further discussed that if they sign the contract with VMS, they will be obligated for this service, and it might limit other services or priorities. Butler requested that the Board work with VMS on the possibility of contracting for ½ the year. Upon Butler's request, Chairman Traylor stated that the Board will review the contract and address it at the next regular meeting.

COUNTY LAWSUIT

Attorney McFarland discussed a new lawsuit being brought against the County and requested a private litigation session with the Commissioners.

ST. JOE SHORES

Commissioner Williams discussed the St. Joe Shores project and stated there are several issues that will have to be worked out. Williams motioned for the Board to allow the Engineers to do a survey and devise a comprehensive plan for the project. Commissioner McLemore seconded for discussion and inquired where the funds to cover this will come from. Commissioner Williams stated that it will be paid from Secondary Road and Bridge funds, and stated that the cost would be less than \$5,000.00 the motion then passed 4-0.

WHITE CITY BOAT RAMP

Commissioner Williams motioned for the Board's permission to apply for a grant from Fish and Wildlife for the White City Boat Ramp. Commissioner McLemore seconded the motion and it passed 4-0.

HIGHLAND VIEW SEWER SYSTEM

Commissioner Williams gave a progress report on the Highland View Sewer System, stating that he had a 2-hour meeting with the City of Port St. Joe and they have advised him that they are within 2-3 weeks of having the trunk line placed under the bridge. Commissioner Williams stated that out of 140 people, approximately 40 had not complied with paying their tap fees in full, and the City (in their decision making) stated that these people will have until the end of the month (May) to pay the tap fees in full. Due to past concerns relating to the City's deadlines and timeframes, Commissioner Williams discussed the Board's prior approval of utilizing a portion of the \$2 million State funds to pay these tap fees. He then motioned to proceed with paying the remaining tap fees from the grant funds, in the event the City does not honor the deadline of May 31st (stating that he would provide a list of the tap fees to be paid for formal approval by the Board at the next regular meeting). Commissioner Barnes seconded, and the motion passed 4-0.

WHITE CITY BULKHEAD

Commissioner Williams discussed the White City Bulkhead and stated that there will not be any construction in that area until after Memorial Day.

4-WHEELERS

Williams discussed a Town Hall Meeting in White City wherein Sheriff Nugent attended and concerns were brought up about 4-wheeler use. Commissioner Williams requested that the Board consider additional funding for the Sheriff's Department during the budget process to cover the cost of enforcing 4-wheeler safety in the County.

K9 UNIT

Commissioner Williams informed the Board that Lieutenant Greg Cole again requested assistance in building a deck space for training the K9 Unit, and stated that he would be working with Mr. Butler to determine where the funds will come from.

PDRB

Commissioner Barnes motioned for the Board to re-appoint his representative, Glen Elder to the PDRB for another term. Commissioner McLemore seconded the motion and it passed 4-0.

SOUTH GULF COUNTY VOLUNTEER FIRE DEPARTMENT/CAPE PALMS PARK

Commissioner Barnes requested the Board's permission to speak with Butler about allowing the South Gulf County Fire Department to use some of Cape Palms Park for a sub station. Chairman Traylor stated that he had no problem with that. Butler stated that the Cape Palms Park is State property, and without a change to the lease agreement, nothing can be done. Chairman Traylor suggested for Butler to look into it.

PREBLE-RISH, INC/GULF COUNTY CANAL

Warren Yeager appeared and discussed that he and Butler have spoken with developers who want to do work on the Gulf County Canal that could possibly provide 25-30 job opportunities. Yeager stated that they have identified several possible grants that might work but the County has to be the applicant. Commissioner McLemore motioned to proceed. Commissioner Barnes seconded the motion and it passed 4-0.

G.A.C./SACRED HEART HOSPITAL

G.A.C. representative Andrew Rowell appeared and informed the Board that May 7, 2008, G.A.C. executed a contract with St. Joe Company to begin construction on the Hospital site, and yesterday they began preparing the building foundation.

CHANGE ORDER #13/ROAD BOND PAVING PROJECT/BID #0607-11

Michael Hammond appeared and requested approval of Change Order #13 for the Road Bond Project in the amount of \$52,000.00. With Commissioner Williams motioned, and Commissioner Barnes second, the motion passed 4-0.

COUNTY STAFF

Chairman Traylor stated that he is honored to work with the County Staff and expressed his appreciation for them attending this meeting.

WEWAHITCHKA HIGH SCHOOL GOVERNMENT CLASS

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Matt Bullard thanked the Commissioners for holding the meeting in Wewahitchka to enable his Government class to attend.

PROJECT GRADUTATION/HONEYVILLE COMMUNITY CENTER

Kayla Chumney appeared on behalf of the Wewahitchka High School graduating class of 2008, and requested that the fees be waived for renting the Honeyville Community Center for Project Graduation. Commissioner McLemore motioned to waive the fees.

Commissioner Williams seconded the motion and it passed 3-0, with Chairman Traylor abstaining because Miss Chumney is his niece.

PUBLIC COMMENT

Chairman Traylor called for public comment.

SEXUAL OFFENDER ORDINANCE

Sheriff Joe Nugent stated that they need the Board's decision on an ordinance that allows sexual offenders to come back and live in the same residence after fulfilling their sentence. Attorney McFarland stated that they will not be allowed to choose a new residence, but will only be allowed to live in the same residence. Attorney McFarland encouraged the Board to adopt the ordinance. Commissioner McLemore motioned to do so, and Commissioner Barnes seconded for discussion. McLemore stated that he would like the Sheriff's Department to monitor every case very closely. Sheriff Nugent stated that they would. Attorney McFarland informed the Board about a website that provides a sexual offenders list, and discussed the importance of the public keeping themselves informed for their family's protection. After discussion, the motion passed 4-0.

MEETING LOCATIONS

Mike Wallace appeared before the Board and inquired about the possibility of holding meetings in Wewahitchka more regularly. Chairman Traylor stated that this is not a possibility. Commissioner Williams stated that the Courthouse is in Port St. Joe, FL., but if there was a special request for a meeting in Wewahitchka, they would be accommodating. Attorney McFarland discussed that the majority of County staff are located in Port St. Joe. Wallace discussed using a teleconferencing system. Chairman Traylor stated that in upcoming years, the Wewahitchka Courthouse will become more active. Commissioner Williams stated the need for the County to be united.

C30-A/SCOP

Commissioner Barnes inquired of Butler if C.R. 30A needs to be re-submitted for SCOP funding. Grant Writer Kopinsky stated that funding has been requested for C30A and both sections of Mitchell Road.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 11:34 p.m., E.T.

BILLY E. TRAYLOR
CHAIRMAN

ATTEST:

REBECCA L. NORRIS
CLERK